





CHAIR
ROBERT BOUER

Councilmember City of Laguna Woods

VICE CHAIR

BILL CAMPBELL

Supervisor

PETER HERZOG

Third District

Councilmember City of Lake Forest

ARLENE SCHAFER

Costa Mesa Sanitary District

SUSAN WILSON

General Public

TOM WILSON

Supervisor Fifth District

JOHN WITHERS

Director Irvine Ranch Water District

ALTERNATE
PATSY MARSHALL

Councilmember City of Buena Park

ALTERNATE
RHONDA MCCUNE

Representative of General Public

ALTERNATE

JAMES W. SILVA

Supervisor Second District

ALTERNATE
CHARLEY WILSON

Director Santa Margarita Water District

JOYCE CROSTHWAITE

Executive Officer

DATE: March 8, 2006

TO: Local Agency Formation Commission

FROM: Executive Officer

SUBJECT: Status Update re Commissioners' Terms of Office

Per the attached summary sheet of commissioners' terms of office ("Attachment A"), four commissioners' terms will expire June 30, 2006:

- Peter Herzog, City Member
- John Withers, Special District Member
- Charley Wilson, Special District Member Alternate
- Susan Wilson, Public Member

At the Commission's direction, staff will notify and work with the Orange County Division of the League of Cities and the Independent Special Districts of Orange County (ISDOC) to schedule the required elections for the city and special district member seats. In accordance with the procedure established by the City Selection Committee, the League typically administers and holds the city member elections in conjunction with its General Division meetings. Similarly, LAFCO staff administers the special district member elections in conjunction with ISDOC's quarterly meeting and in accordance with the procedure established by the Special Districts Selection Committee.

Regarding the public member appointment, the Commission's policy ("Attachment B") states that the Commission's chairperson shall direct the Executive Officer to prepare and distribute a special notice advertising the vacancy and soliciting interested persons to submit their résumés for consideration. Further, at the Commission's discretion, the chair may also direct the Executive Officer to prepare and circulate a press release regarding the public member vacancy.

STAFF RECOMMENDATIONS

 Direct staff to notify and work with the Orange County Division of the League of Cities and the Independent Special Districts of Orange County (ISDOC) to schedule the required elections for the city and special district member seats. Commissioners' Terms of Office March 8, 2006 Page 2 of 2

- Direct the Executive Officer to prepare and distribute the legally mandated special notice advertising the public member vacancy as specified in the Commission's policy and procedure for the appointment of LAFCO's regular and alternate public member.
- Determine if the Executive Officer shall further prepare a press release regarding the public member vacancy.

Respectfully submitted,	
IOYCE CROSTHWAITE	

Attachments:

Attachment A: Commissioners' Terms of Office

Attachment B: LAFCO P&P for the Appointment of LAFCO's Regular and Alternate Public Member

ATTACHMENT A

LOCAL AGENCY FORMATION COMMISSION

Commissioners' Terms of Office

As of June 30, 2005

Pursuant to Government Code Section 56334, the expiration date of the term of office of each member of the Commission is June 30^{th} in the year in which the term of the member expires.

NAME	DATE APPOINTED	TERM EXPIRES	REMARKS	
COUNTY				
Bill Campbell		2007	Appointed to complete the unexpired term of Tom Wilson	
Tom Wilson		2009	Appointed to a four-year term	
James Silva, Alternate		2007	Appointed to a four-year term	
CITY				
Robert Bouer	2000	2008	Elected to a four-year term	
Peter Herzog	1998	2006	Elected to a four-year term	
Patsy Marshall, Alternate	2004	2008	Elected to a four-year term	
SPECIAL DISTRICTS				
Arlene Schafer	2001	2008	Elected to a four-year term	
John Withers	1998	2006	Elected to a four-year term	
Charley Wilson, Alternate	1999	2006	Elected to a four-year term	
PUBLIC				
Susan Wilson	1998	2006	Elected to a four-year term	
Rhonda McCune, Alternate	2005	2009	Elected to a four-year term	

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ATTACHMENT B



POLICIES & PROCEDURES

of the

ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Policy & Procedures for the Appointment of LAFCO's Regular and Alternate Public Members

Date Approved by the Commission: Original: 09/14/1977 Revised: 02/09/2005, 02/08/2006 Date of last Revision: 02/08/2006 (Past rev: 02/22/1978)

I. PURPOSE

To establish policy and procedural guidelines the appointment of LAFCO's regular and alternate public members.

II. POLICY STATEMENT

Whenever a vacancy occurs in the positions of regular public member or alternate public member, as a result of resignation, death, termination or expiration of term of office, it shall be the policy of the Local Agency Formation Commission to advertise that a vacancy exists or may exist in either or both of these positions and solicit all interested persons to apply for consideration as appointee(s) to such vacant position(s). Final appointment to the vacant position(s) shall not be made for as least 40 days after an announcement of the vacancy(ies) occur(s).

III. PROCEDURAL GUIDELINES

- A. Whenever a vacancy occurs in either or both the positions of regular public member or alternate public member, as a result of resignation, death, termination, or expiration of term of office¹, the Chairman shall direct the Executive Officer to prepare and post a special vacancy notice advertising that such a vacancy(ies) currently exist(s) or may exist and soliciting interested persons to submit their résumés for consideration to the Executive Officer within 30 days after the announcement of the vacancy occurs. The special vacancy notice shall be posted at the following locations.
 - 1. At the LAFCO staff office;
 - 2. On the bulletin board outside the Board of Supervisor's hearing room;
 - 3. On the bulletin board outside the Planning Commission's hearing room; and
 - 4. Any other places as directed by the Commission.

^{1.} In any calendar year in which the term of office of the regular public member or alternate public member is to expire, the Executive Officer will inform the Commission at the first regular meeting in March that such expiration is effective the 30th of June. The Commission may decide to advertise this fact in advance and encourage persons to submit their resumes for consideration prior to the expiration of the respective term. In such event, notice and selection will be in the manner specified in these procedures.

- B. The Executive Officer shall mail a copy of the special vacancy notice to all city clerks; to all independent special districts; and to the clerk of the Board of Supervisors.
- C. At the Commission's discretion, the Chair may also direct the Executive Officer to have an announcement prepared and released to the press to the effect that a vacancy exists or may exist in either or both the position(s) of regular public member or the alternate public member and all interested persons are encouraged to apply by submitting their résumés to the Commission's Executive Officer within 30 days after the announcement occurs.
- D. 30 days after the announcement occur(s), no further applications for the vacant position(s) shall be accepted by the Executive Officer, who then shall forward all applications to Commission members. The Executive Officer shall place on the agenda at the Commission's next regularly scheduled meeting for discussion the consideration of these same applications for appointment to the vacant position(s).
- E. The Commission may select a personnel committee from their membership for the purposes of reviewing all applications and nominating the best qualified candidates for the Commission's consideration.
 - 1. When a personnel committee is used for the purposes set forth in section (E) of these procedures, then the personnel committee shall recommend to the Commission the names of at least two applicants for nomination(s) to the vacant position(s) at the next regularly scheduled meeting. However, any eligible Commissioner may nominate a candidate from applications submitted.
 - 2. Whenever a personnel committee is not used for purposes set forth in section (E) of these procedures, then any eligible commissioner may nominate a candidate from applications submitted to the vacant position.
- F. Upon receipt of the names of the nominees for consideration to the vacant position(s), the Chairman shall declare the nominations closed and shall direct the clerk to call a vote of members eligible first for one candidate, then the other. The nominee(s) receiving a majority shall be appointed to the vacant position(s) for the unexpired term of the regular public member or alternate public member, except when the vacancy is the result of expiration of term of office, then the appointment shall be for four years and until the appointment and qualification of his/her successor.
- G. The expiration date of the term of office of each member shall be the 30th of June in the year in which his/her term is to expire.
- H. In the event no candidate from the applicants submitted receives a majority, the Commission shall direct the Executive Officer to re-advertise that a vacancy(ies) exist(s) in the manner set forth in these procedures.
- I. Final appointment to fill any vacancy in either the position of regular public member or alternate public member shall not be made by the Commission for

at least 40 days after the announcement occurs.

- J. As stipulated in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, if the office of a regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.
- K. No person appointed as a public member or alternate public member shall be an officer or employee of the county or any city or district with territory in the county.